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WORLD CONFERENCE ON HUMAN RIGHTS
Preparatory Committee
Fourth session
Geneva, 19-30 April 1993
Agenda items 5 and 9

STATUS OF PREPARATION OF PUBLICATIONS, STUDIES AND DOCUMENTS FOR THE WORLD CONFERENCE

CONSIDERATION OF THE FINAL OUTCOME OF THE WORLD CONFERENCE, TAKING INTO CONSIDERATION THE PREPARATORY WORK AND THE CONCLUSIONS OF THE REGIONAL MEETINGS

Note by the Secretariat

Addendum

1. The General Assembly, in its resolution 46/116, "(E)ncourages the Chairman of the Commission on Human Rights, the chairman or other designated members of human rights bodies, including the chairmen of bodies established under international human rights instruments or their designated representatives, as well as special rapporteurs and the chairmen or designated members of working groups, to participate as observers, as appropriate, in the work of the Preparatory Committee and the Conference".

2. Accordingly, the chairpersons and representatives of the United Nations human rights treaty bodies met in Geneva from 22-23 April 1993 and have prepared the attached suggestions.

WORLD CONFERENCE ON HUMAN RIGHTS
Fourth Meeting of the Preparatory Committee
19 - 30 April 1993

REPORT OF THE MEETING OF THE CHAIRPERSONS
AND REPRESENTATIVES OF THE HUMAN RIGHTS TREATY BODIES
Geneva, 22-23 April 1993

Chaired by: Mrs. Hoda Badran (Egypt)
Rapporteur: Mr. Agha Shahi (Pakistan)

1. The Chairpersons and their representatives underlined the fact that the treaty régime lies at the very heart of the international human rights legal order. They observed that universal ratification of the principal treaties, by the year 2000, is a goal of the utmost importance and should be accorded priority in any declaration adopted by the World Conference on Human Rights, in Vienna. They noted that since the standards reflected in the principal instruments are, for the most part, already applicable to all States as authoritative interpretations by the international community of the human rights obligations contained in the United Nations Charter, it is entirely appropriate that all States should participate actively in the work of the relevant treaty bodies.

2. The Chairpersons and their representatives emphasized that one of the principal obstacles to the more effective functioning of the treaty system is the lack of resources available to the Centre for Human Rights, which results in a level of servicing which is highly inadequate. They observed that a great number of the proposals that have been made to improve the efficiency and effectiveness of the work of the treaty bodies can not be fully implemented until such time as a major increase in available resources is achieved.

3. The Chairpersons and their representatives urged in the strongest possible terms that the treaty bodies be accorded a role at the World Conference which is consistent with their status as full and indispensable partners in the United Nations human rights system. For this purpose, it is considered essential that the Chairpersons be accorded a separate status which is at the very least equivalent to that of the representatives of United Nations specialized agencies.

4. They welcomed very strongly the proposal to organize a meeting in Vienna, within the framework of the World Conference on Human Rights, of the Chairpersons (or their representatives) of each of the United Nations treaty bodies along with their counterparts from each of the principal bodies existing at the regional level. They urged that the Chairpersons of the ILO and UNESCO experts committees on the application of conventions and recommendations also be invited to participate. The meeting should address a range of substantive issues designed to increase the interaction between human rights bodies at the universal and regional levels.

5. The Chairpersons and their representatives considered the working paper contained in A/CONF.157/PC/82 and recommended that the text should be amended as follows:

Preambular paragraph 6:

Replace the words a common standard of achievement by the words the International Bill of Human Rights.

Principle 8:

The first sentence should read as follows: Respect for human rights and for fundamental freedoms for all human beings without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, including age and disability, is a fundamental rule of human rights law.

Insert the word apartheid in the second sentence before the word xenophobia.

Principle 9:

In the second sentence, following the words the eradication of all forms of, insert cultural and other prejudices and.

Principle 10:

In the first sentence, insert the word or between national and ethnic.

Principle 12:

Reformulate the text as follows:

> The World Conference, welcoming the early ratification of the Convention on the Rights of the Child by a large number of States, urges the implementation of the Convention through legislative, administrative and other measures. In all actions concerning children, the best interests of the child should be a primary consideration and the views of the child should be given due weight. National and international mechanisms and programmes should be established for the defence of the rights of the child, in particular the girl child, abandoned children, refugee children and those living on the streets.

Principle 14:

Replace the second sentence with the following:

> The World Conference stresses that the universal acceptance of all the major human rights treaties, keeping the level of reservations as low as possible, is imperative for all States.

Principle 16:

In the first sentence, insert the words rights and following Political and the word civil, following the words context of.

Principle 18:

In the first sentence, the words massive violations should be preceded by urgent situations, and followed by or continuing grave; ethnic cleansing should be inserted following genocide; and massive acts of violence against women and children should follow torture.

In the last sentence, promotion of and respect for should be changed to read protection and promotion of.

Principle 19:

Change effective remedies for the victims to read effective and enforceable remedies, including redress and compensation.

The following sentence should be added:

In view of the increasing number of identified victims of torture and other gross violations of human rights, the United Nations should ensure more effective remedies for the physical, psychological and social rehabilitation of such victims.

Principle 20:

In the first sentence, change International Covenant on Economic, Social and Cultural Rights to read other international human rights instruments.

DRAFT PLAN OF ACTION

I. United Nations System-wide action on Human Rights

Paragraph 4 :

In paragraph 4, insert the following text between The World Conference and strongly:

recognizes that the treaty régime lies at the very heart of the international human rights legal order and

Insert the following sentence after the second sentence:

Since the standards reflected in the principal instruments are, for the most part, already applicable to all States as authoritative interpretations by the international community of the human rights obligations contained in the United Nations Charter, it is entirely appropriate that all States should participate actively in the work of the relevant treaty bodies.

Delete the last sentence and insert the following before the full stop:

, including the preparation of an analytical study to be carried out in cooperation with the States concerned aiming to identify such obstacles to ratification.

Paragraph 5:

Add the following new paragraph 5 and renumber the subsequent paragraphs accordingly:

5. In the light of the high and increasing number of reservations to human rights treaties, the World Conference strongly appeals to the existing or potential States parties to such treaties that they reduce such reservations to a minimum, taking into account that any reservations must be fully compatible with the object and purpose of the treaty concerned. A regular review of their continuing need should be undertaken by each State and the outcome of such review should be reflected in the reports submitted to treaty bodies. The World Conference calls upon the General Assembly to mandate the undertaking of an analytical study on this issue, to be

prepared by an independent expert of the Commission or its Sub-Commission.

Paragraph 6:

Add the following to present paragraph 6:

One of the principal obstacles to the more effective functioning of the treaty system is the lack of resources available to the Centre for Human Rights, which results in a level of servicing which is highly inadequate. A great number of the proposals that have been made to improve the efficiency and effectiveness of the work of the treaty bodies can not be fully implemented until such time as a major increase in available resources is achieved.

II. Equality, Dignity and Tolerance

A. The heading of this section should read Racism, Apartheid, Racial Discrimination, Xenophobia and Related Intolerance and Torture.

New paragraph 4:

Add the following as new paragraph 4:

4. One of the most atrocious violations against human dignity is the act of torture, the result of which destroys the dignity and impairs the capability of the victims to continue their lives or their work. In order to facilitate the work of human rights as described in this document, the United Nations should aim at eradicating the crime of torture on an urgent basis.

B. Minorities and Indigenous Peoples

Paragraph 3:

Add the following at the end of paragraph 3:

Children of minority groups should not be discriminated against in terms of health, education or any other services. They should be allowed to use and learn their own languages within the system of education.

C. Change the heading of this section to read Equality of Women and their Human Rights

Paragraph 1:

Before the present first sentence, insert the following:

The World Conference considers that equality between men and women and the elimination of existing discrimination against women must continue to be one of the main purposes of action of the United Nations Human Rights Programme.

In the present second sentence, the words Women are encouraged should be replaced by Necessary information should be provided to enable women.

Paragraph 6:

In the first sentence, the following should be inserted between The World Conference and underlines:

appeals for the full recognition of equal civil, political, economic, social and cultural rights of women and

D (new). The Rights of the Child

Add new point D as follows:

1. The World Conference urges that measures be taken to reach targets set at the World Summit for Children in September 1990, particularly in regard to reducing child mortality and increasing universal access to basic education.

2. Measures to ensure the protection of children in armed conflicts should be taken. Humanitarian norms should be enforced to facilitate assistance to children in war zones. Children should not be recruited as soldiers. Those traumatized by war should receive adequate aftercare and rehabilitation.

3. Economic reforms should include social buffers protecting the rights of the child. Exploitation of children should be actively combatted. Effective measures should be taken against harmful child labour and child prostitution.

III. Cooperation, Development and Strengthening of Human Rights

Insert the following new paragraphs 1 and 2 and renumber the subsequent paragraphs accordingly:

1. Economic, social and cultural rights are being denied on a massive scale as is demonstrated by the fact that one person in every five in the world is afflicted by poverty, hunger, disease, illiteracy and insecurity. In addition, the neglect of these rights can undermine democracy and provoke massive internal and external flows of peoples. In response to this situation, the World Conference calls upon all Governments, as appropriate, to take the following measures designed to underline their acceptance of economic, social and cultural rights as human rights: (i) ratification of the International Covenant on Economic, Social and Cultural Rights, (ii) the identification of benchmarks or minimum safety nets in relation to each of the basic economic and social rights, and (iii) the establishment at the national level of appropriately tailored means by which economic and social rights can be vindicated by individuals and groups.

2. The World Conference calls upon the international financial institutions and other relevant international bodies to contribute to the efforts made by States to ensure the full realizations of all human rights.

Paragraph 4:

Insert in the last sentence of present paragraph 4, following the words structural adjustment and human rights, the following:

with particular attention that structural adjustment would not have a negative impact on vulnerable groups,.

Paragraph 6:

The last sentence of present paragraph 6 should be reformulated as follows:

Work should also be encouraged, drawing on the expertise of the organs and agencies of the United Nations system, to develop a system of indicators for measuring progress in the realization of economic, social and cultural rights.

IV. Human Rights Education

Paragraph 2:

Insert equality to follow the words focus on.

New paragraph 5:

Add new paragraph 5 to read as follows:

5. Further to the efforts mentioned above in paragraphs 1-4 regarding the creation of general awareness about human rights in all its aspects, the United Nations should ensure that the special education needed concerning the international human rights standards and their application is provided to special groups such as law enforcement personnel, police and the health profession.

V. Implementation and Monitoring Methods

New Paragraph 3:

Insert the following text as new paragraph 3 and renumber the subsequent paragraphs accordingly:

3. The World Conference emphasizes that States which have ratified, or acceded to, international human rights treaties must abide by all of the relevant obligations, including submitting their reports on time and responding, to the greatest extent possible, to concerns expressed by the relevant treaty supervisory bodies.

Paragraph 3:

In present paragraph 3, reformulate the words that they initiate steps to read that they continue to take steps; and place the words taking into account the fact with the words and study the suggestion.

Paragraph 4:

In present paragraph 4, delete the last sentence.

Paragraph 5:

Insert, as a new penultimate sentence in present paragraph 5, the following:

The World Conference recommends that the views and recommendations expressed by the treaty bodies in relation to individual communications should be fully respected.

Paragraph 6:

Delete the words, at the end of present paragraph 6, when they threaten international peace and security.

Paragraph 12:

In present paragraph 12, insert torture after the words crimes against humanity.